

CHEROKEE COUNTY, NORTH CAROLINA
E9-1-1 ADDRESSING ORDINANCE

Enactment

This Ordinance establishes a uniform system for addressing, and for the enforcement thereof.

Preamble

WHEREAS, in the opinion of the Cherokee County Board of Commissioners, a uniform system for addressing and road naming is required to promote the health, safety, and general welfare of the citizens of Cherokee County, and

WHEREAS, the Cherokee County Board of Commissioners are desirous that this approach reflect the County's emphasis upon minimizing problems of identification for emergency and other services, and

WHEREAS, all applicable requirements of the General Statutes of North Carolina have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF CHEROKEE COUNTY, NORTH CAROLINA.

SECTION 10. Authority:

The provisions of this Ordinance are adopted under authority granted by the N.C.G.S. §153A-240.

SECTION 20. Purpose and Intent:

The purpose and intent of this Ordinance is to provide a uniform system of addresses for all properties and building throughout the County's jurisdiction in order to facilitate adequate public safety and decrease emergency response time.

SECTION 30. Jurisdiction:

The jurisdiction of the Ordinance includes the entire geographic area of Cherokee County. The municipal areas within Cherokee County are included in this ordinance as evidenced by a resolution from each town requesting to be included in this Ordinance.

SECTION 40. Numbering System:

Frontage Unit (standard interval) shall be assigned for every 5.28 feet of ground whether improved property or vacant lot on every road/street within the entire geographical area of Cherokee County. Even numbers must always be on the right side and odd on the left side of the street/road.

SECTION 50. Road Name Signs:

1. Assignment, Installation and Maintenance of Road Name Signs:

Road Name signs shall be assigned and installed for all roads, whether public or private and at all intersections throughout the unincorporated areas of Cherokee County, in accordance with N.C.G.S. §153A-240. Road name sign maintenance within municipalities will remain the responsibility of the municipality. Road name sign maintenance within the unincorporated areas of Cherokee County, including sub developments, will be the responsibility of Cherokee County.

2. Ownership of Road Name Signs:

All road name signs, posts and hardware installed pursuant to the Ordinance is and shall remain the sole property of Cherokee County regardless of where said signs, posts or hardware may be installed.

SECTION 60. Definitions:

1. Base line:

Can be defined as those lines which divide the County into identifiable sectors and which follow prominent major thoroughfares. In each case, one base line runs EAST/WEST and the other one, NORTH/SOUTH. Base lines intersect at a reference point.

2. Reference Point:

The reference point for the Cherokee County Addressing System is hereby designated at the point of the intersection of Tennessee Street, Hiwassee Street, Valley River Avenue, and Peachtree Street in Murphy, Cherokee County North Carolina.

3. Frontage Unit:

A frontage unit is a standard interval in feet used to assign consecutive property numbers on a street or road. The standard front unit adopted for use throughout Cherokee County is 5.28 feet.

4. Road:

Is a public or private one-way or two-way road for ingress and/or egress. Such roads may be of various types including frontage roads, rear access roads, roads with cul-de-sacs, and dead-end roads. This definition includes secondary roads, but does not include driveways.

5. Private Road:

Any road, which is not maintained by the N.C. Department of Transportation and/or municipality through the use of public funds.

6. Official Road Names:

The road list name and the road map name on file with the Cherokee County 9-1-1 Addressing Office is hereby declared the official road names and map for Cherokee County Roads, unless changed by action of the County Commissioners.

7. Road Address:

The combination of numbers and road names assigned to a particular location by the Cherokee County 9-1-1 Addressing Office, according to this Ordinance, which uniquely identifies a particular location.

8. Driveways:

Is a private way, beginning at the property line of a lot abutting a public road, private road, easement or private right-of-way, giving access from that public road, private road, or private right-of-way, leading to a building, use or structure on that lot.

SECTION 70. Naming or renaming County Roads:

1. Request for new names and name changes must include a completed petition signed by at least 50% plus one of the residents along the affected road. If there are not three addressable structures on the road the address will be assigned off the main road. The only exception is in sub developments.
2. The Cherokee County 9-1-1 Addressing office, prior to being forwarded to the Cherokee County Board of Commissioners, must approve petitions to name unnamed roads or to change a road name. A moratorium is in effect until January 2003 for previously named roads.
3. Petition to change a road name must include a fee of \$25.00 per sign blade to cover cost of replacing signs in addition to \$100.00 to advertise public hearings. If the County Commissioners do not approve the request, only the sign cost will be refunded.
4. County Commissioners shall consider petitions for road name changes annually during the 1st quarter. However, once a road has been named, the road cannot be repitioned again until the second calendar year after the name has been approved.
5. There is no fee for requesting names for unnamed public or private roads, however the procedure is the same.

6. Petition applications may be obtained from the 9-1-1 Addressing Office, 59 Hiwassee St., Suites 102/105, Murphy, N.C.
7. The Cherokee County 9-1-1 Addressing Administrator will review requests to determine if all procedures are met, and to ascertain that the proposed names do not duplicate an existing name and also to ensure that the petition meets all other requirements of this Ordinance.

SECTION 80. New Road Names:

The Cherokee County 9-1-1 Addressing Office is hereby authorized to prepare and present to the County Commissioners recommendations for the naming of all unnamed roads both public and private within the unincorporated area of Cherokee County and to propose new names to eliminate duplications and sound alike road names, and to present all petitions received to change the names of an existing road.

SECTION 90. Addressing:

1. All roads, both public and private, shall be named and addressed if three or more addressable structures, including mobile homes, are located on and accessed by them.
2. When each house or building has been assigned its respective address, the County, in cooperation with the U.S. Postal Service shall notify the owners, or occupants, agents of affected house or building, by letter, or by telephone advising of their new address.

SECTION 100. Display of Address Numbers:

1. The official address number must be displayed on the front of a building or at the entrance to a building, which is most clearly visible from the street or road during both day and night.
2. If a building is more than 100 feet from any road, the address number shall be displayed at the end of the driveway or easement nearest the road, which provides access to the building.
3. Numerals indicating the address number of a single family dwelling shall be at least three (3) inches in height and shall be posted and maintained so as to be legible from the road.
4. Numerals for multiple dwelling units and non-residential buildings shall be at least six (6) inches in height and shall be placed on the front of the building facing the road or on the end of the building nearest the road.
5. Numerals must be of contrasting color to the background.

6. Mobile home lots shall have sequential address numbers throughout the park. Each lot will have a separate address number assigned. The address number of each lot must be clearly displayed on the lot by being attached to a post on the lot or to the mobile home consistent with paragraph (1) above. No unit designator shall be allowed in the address of mobile homes.
7. The address shall be placed on existing buildings within thirty (30) days from the date of the letter of notification.

SECTION 110. New Addresses Assignment:

1. The owner or occupant or person in charge of any house, travel trailer, or building in need of an address in Cherokee County shall apply through the Cherokee County 9-1-1 Administrator's Office.
2. The application for a 9-1-1 Address shall be obtained at such time that the owner, builder, or mobile home company applies for a permit from the Cherokee County Inspection Department. A yellow flag will be given to the applicant at this time to be put on the driveway of the property for display until the address is obtained. The driveway must be cut in before the address can be given. This applies to all address locations.
3. Final approval for a Certificate of Occupancy of any principal building erected or repaired after the effective date of this Ordinance shall be withheld until a permanent and proper address has been displayed in accordance with the requirements outlined in this Ordinance. This will be strictly enforced.
4. No Certificate of Completion for mobile homes shall be issued until address numbers are properly displayed. This will be strictly enforced.

SECTION 120. Ordinance Administrator:

1. The Addressing Administrator is hereby designated Administrator of this Ordinance and shall have authority to verify, modify, or assign addresses and to enforce the requirements of this Ordinance.
2. The Ordinance Administrator shall assign and maintain a record of all addresses for Cherokee County.
3. The Ordinance Administrator shall maintain a database of existing road names, such that duplication and sound-alike road names are neither assigned nor approved.

SECTION 130. Amendments:

Petitions for amendment of this Ordinance may be filed with the County Manager by any citizen of the County, and County department or agency.

SECTION 140. Commissioners' Review:

The County Commissioners according to the following procedure may amend the provisions and requirements of this Ordinance:

No amendment shall become effective unless it has been proposed by or shall have been reviewed by the Cherokee County 9-1-1 Addressing Administrator. The Cherokee County 9-1-1 Addressing Administrator shall have 45 days in which to review the proposed amendment and to make the recommendations to the Commissioners. If the Commissioners fail to report within 45 days it shall be deemed to have approved the proposed amendment.

SECTION 150. Variances and Exceptions:

The county Commissioners may issue variances and exceptions from the requirements of this Ordinance such that would not be contrary to the public interest, or the spirit and intent of this Ordinance, and where due to special conditions, a literal enforcement of the provisions of this Ordinance would result in an unnecessary hardship. In granting a variance, the County Commissioners may prescribe appropriate solutions, as it deems necessary to preserve the intent of this Ordinance. In granting a variance or exception to this Ordinance the County Commissioners must determine the following:

1. Special conditions and circumstances exist which are peculiar to the road naming or addressing involved and which are not applicable to other roads, or addresses.
2. The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other citizens.
3. Special conditions and circumstances do not result from the actions of the applicant; and
4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other citizens.

SECTION 160. Appeals:

The provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety, and general welfare. Wherever the requirements of this Ordinance differ with the requirements of any other adopted county, state, or federal regulations, the most restrictive or that imposing the highest standard shall govern.

SECTION 170. Enforcement:

After the effective date of this Ordinance, any person, firm or agent thereof that intentionally violates this Ordinance shall be guilty of a misdemeanor, for the conviction of which, the maximum penalty by law may be imposed. Each day's continuing violation is a separate and distinct offense.

SECTION 180. Limitation of Liability:

The County, directors, officers and agents, are not liable for any damages in a civil action for injuries, death, or loss to persons or property incurred by any person as a result of any act or omission of any of its employees, directors, officer, or agents, except for willful or wanton misconduct, in connection with developing, adoption, implementing, maintaining, or operating any 9-1-1 system.

SECTION 10. Separability:

Should any section or provision of this Ordinance be declared by the courts to be invalid for any reason, such declaration shall not affect the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Effective Date

This Ordinance shall be come effective and be in full force from and after the 3rd day of December, 2001. Adopted by the Cherokee County Board of County Commissioners this the 3rd day of December, 2001.



Barbara Vicknair, Chairman
Cherokee County Board of Commissioners



R. Scott Lindsay, Clerk to the Board